
A BILL FOR AN ACT

RELATING TO THE CENTER FOR NURSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 198, Session
2 Laws of Hawaii 2003 (Act 198), established the Hawaii state
3 center for nursing (HSCN) to collect and analyze data and
4 prepare and disseminate written reports and recommendations
5 regarding the current and future status and trends of the
6 nursing workforce; conduct research on best practices and
7 quality outcomes; develop a plan for implementing strategies to
8 recruit and retain nurses; and research, analyze, and report
9 data related to the retention of the nursing workforce. Act 198
10 also requires that nurses shall fund the activities of the HSCN
11 through an additional fee assessed upon the issuance and renewal
12 of each nurse license.

13 The legislature further finds that, since 2003, the HSCN
14 has created multiple statewide initiatives and programs to
15 address nursing workforce needs, prevent anticipated workforce
16 shortages, and conduct workforce research on the nursing supply
17 and education capacity for nurse education. Many of these



1 programs are notable for being the first statewide programs in
2 the nation and having broad partnerships with nursing employers
3 and schools of nursing. Specifically, the HSCN's Hawaii
4 academic progression in nursing initiative led the State to
5 become the most highly educated nursing workforce in the nation
6 by 2019. The outcomes of increasing the minimum education for
7 nurses include improved patient care and safety; reduction by
8 readmission rates, lengths of stay, and deaths; and improved
9 cost savings. Additionally, the HSCN led the State by
10 developing the Hawaii nurse residency program collaborative,
11 which, as of 2020, has facilitated the hiring and support of
12 over one thousand new graduate nurses in their first year of
13 employment and increased retention rates.

14 The legislature further finds that HSCN has helped increase
15 access to health care services in rural and underserved
16 communities in the State through policy reforms, program
17 development, and initiating changes in the nursing environment.
18 Through collaborative efforts led by the HSCN, the advanced
19 practice registered nurse workforce in the State has doubled,
20 making health care more accessible, especially for neighbor
21 island residents.



1 The legislature further finds that the HSCN has maintained
2 continuous workforce research efforts since 2007 and improved
3 the visibility of the nursing workforce and education capacity.
4 Most recently, the HSCN produced data reports that the
5 department of health and the Hawaii emergency management agency
6 used for crisis response, vaccination planning, and other uses.
7 The HSCN continues to play a critical role in the response to
8 the coronavirus disease 2019 (COVID-19) pandemic. The HSCN also
9 participated in increasing relevant, locally-produced, and
10 accredited nursing professional development content on COVID-19
11 for nurses in all settings of care, and co-led an initiative
12 with stakeholders to identify and tactically respond to provider
13 shortages.

14 The legislature further finds that, since 2003, when the
15 center for nursing fee was established, the cost of goods and
16 services have increased in Hawaii. Additionally, the
17 legislature finds that challenges to securing adequate nursing
18 workforce supply survey responses have severely limited the
19 HSCN's ability to continue to inform policy makers, health care
20 leaders, and others on the availability and characteristics of
21 the nursing workforce in the State. To ensure public safety



1 during episodes of critical health care demands, including
2 pandemics and natural disasters, as well as providing robust
3 nursing care and a resilient nursing workforce at all times,
4 crucial information and additional funding is needed.

5 Therefore, the purpose of this Act is to:

6 (1) Require all nurses to respond to the center for
7 nursing workforce supply survey in conjunction with
8 license renewal; provided that license renewal shall
9 not be contingent upon responding to the workforce
10 supply survey and failure to respond to the workforce
11 supply survey shall not result in encumbrance of the
12 nurse's license; and

13 (2) Increase the additional center for nursing fee from
14 \$40 per licensing biennium to \$60 per licensing
15 biennium.

16 SECTION 2. Section 457-9, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§457-9 Renewal of license; inactivation and reactivation**
19 **of license; restoration of forfeited license.** (a) The license
20 of every person licensed or granted prescriptive authority shall
21 expire on June 30 of every odd-numbered year and shall be



1 renewed biennially, except as provided in this section.
2 Biennially in each odd-numbered year, the board shall make
3 available an application for renewal of license before the
4 deadline set forth by the board to every person to whom a
5 license was issued or renewed during the biennium. The
6 applicant shall complete the application and submit it to the
7 board with a renewal fee, and shall also submit, beginning with
8 the July 1, 2019, licensing biennium, a full set of electronic
9 fingerprints for the purpose of obtaining federal and state
10 criminal history record checks in accordance with section
11 846-2.7, directly to the Hawaii criminal justice data center for
12 processing with the Federal Bureau of Investigation. The
13 applicant shall bear the cost of the fingerprint processing and
14 the application shall not be considered complete until the
15 results of the criminal history record check has been received
16 by the board; and all required documents on or before the
17 deadline set by the board. The applicant shall provide
18 documents from proper agencies or parties of any criminal
19 conviction or any disciplinary action taken or pending in this
20 State or any other state in the United States or any territory
21 or possession under the jurisdiction of the United States within



1 the two years prior to application for renewal of license. Upon
2 receipt of the application and fee, the board shall verify the
3 accuracy of the application and issue to the applicant a
4 certificate of renewal for the biennium expiring two years hence
5 on the deadline set by the board. The renewal shall render the
6 holder thereof a legal practitioner of nursing for the period
7 stated on the renewal form. The applicant shall respond to the
8 center for nursing workforce supply survey in conjunction with
9 each license renewal application submitted pursuant to this
10 subsection; provided that no license renewal shall be contingent
11 upon responding to the center for nursing workforce supply
12 survey; provided further that failure to properly respond to the
13 center for nursing workforce supply survey shall not result in
14 an encumbrance on the applicant's license.

15 (b) Any licensee who fails to renew a license as provided
16 in subsection (a) but continues to practice shall be considered
17 an illegal practitioner and shall be subject to the penalties
18 provided for violations of this chapter. The failure to timely
19 renew a license[7]; the failure to pay all applicable fees[7];
20 the dishonoring of any check upon first deposit[7]; or the
21 failure to comply with any other requirement provided by law,



1 except the requirement to complete the center for nursing
2 workforce supply survey pursuant to subsection (a), shall cause
3 the license to be automatically forfeited; provided that the
4 person's license may be restored by the board within two years
5 after the date of forfeiture upon compliance with the licensing
6 renewal fees, penalty fees, and compliance resolution fund fees.

7 A nurse who does not intend to practice nursing in the
8 State and elects to be placed on inactive status shall so
9 indicate in writing during the license renewal period or by so
10 indicating on the license renewal application, and paying
11 inactivation and all appropriate fees. Should the nurse wish to
12 resume nursing at some future time, the nurse shall notify the
13 board in writing and remit the reactivation and renewal fees;
14 submit an application form as provided in subsection (a); and
15 beginning with the July 1, 2019, licensing biennium, submit a
16 full set of electronic fingerprints for the purpose of obtaining
17 federal and state criminal history record checks in accordance
18 with section 846-2.7, directly to the Hawaii criminal justice
19 data center for processing with the Federal Bureau of
20 Investigation. The applicant shall bear the cost of the
21 fingerprint processing and the application shall not be



1 considered complete until the results of the criminal history
2 record check has been received by the board. A nurse who has
3 not actively practiced in this State or any other state in the
4 United States or any territory or possession under the
5 jurisdiction of the United States for more than five years may
6 be required by the board to submit proof of continued competency
7 by retaking and passing the licensing examination or
8 successfully completing appropriate continuing education
9 recognized by the board.

10 (c) As used in this section, "center for nursing workforce
11 supply survey" means the nursing workforce supply survey
12 conducted biennially by the center for nursing that asks nurses
13 to provide information about each nurse's demographics,
14 specialty, setting of work, and other information necessary to
15 inform the State on the status and characteristics of the
16 State's nursing workforce."

17 SECTION 3. Section 457-9.5, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "[+](a)[+] Upon the issuance of a new license and at each
20 license renewal period, each nurse shall pay an additional fee
21 of [~~\$40,~~ \$60, which shall be deposited in a separate account in



1 the compliance resolution fund established pursuant to section
2 26-9(o)."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Center for Nursing; Workforce Supply Survey; License Fees;
Increase

Description:

Requires all nursing license applicants to respond to the center for nursing workforce supply survey in conjunction with license renewal; provided that the license renewal shall not be contingent upon responding to the workforce supply survey and failure to respond to the workforce supply survey shall not result in encumbrance of the nurse's license. Increases the additional center for nursing fee from \$40 to \$60 per licensing biennium. Effective 7/1/2050. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

